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627 So. 7th St.
Las Vegas, Nevada 89101
(702-388-0098)
Counsel for Defendant William Livolsi

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 2:10-CR-578-APG-PAL
)	
LINDA LIVOLSI, aka LINDA G.)	
FINDLEY, aka LINDA GROGG and)	
WILLIAM LIVOLSI, JR.,)	
)	
Defendants.)	
)	

DEFENDANT WILLIAM LIVOLSI'S SENTENCING MEMORANDUM

COMES NOW Defendant William Livolsi, Jr., by and through his attorney of record, C. STANLEY HUNTERTON of the law firm of HUNTERTON & ASSOCIATES, who submits the following sentencing memorandum.

The Defendant, William Livolsi, Jr., should be sentenced to a non-custodial sentence for a term and under such conditions as the Court sees fit.

The reasons for such a sentence are ably laid out in the Sentencing Memorandum filed as #194 by Monique Kirtley on behalf of Linda Livolsi. There is no reason to burden the

record further and Mr. Livolsi adopts and incorporates by reference that Sentencing Memorandum with a few additions set forth herein.

Mr. Livolsi has pled guilty and accepts full responsibility for his actions. Yet, it must also be said that he was involved in only one of the events that lead to the Indictment in this case, that involving “E.B.” This is not to minimize Mr. Livolsi’s involvement, but to put it in the proper perspective.

Upon imposition of sentence, Mr. Livolsi will be a felon and will carry that substantial burden the rest of his life. According to his background and his part in this case, the chances of him becoming a repeat offender are nearly zero. (#194, p. 15-16).

I have also attached two (2) letters attesting to Mr. Livolsi’s good character and work in his community (attachments 1 and 2). Clearly, he has much to contribute if he is allowed to stay out of prison.

Finally, if the Court concludes that both Mr. and Mrs. Livolsi must be sentenced to terms of imprisonment, it is respectfully suggested that these sentences be “staggered” so that while one parent is incarcerated, the other is available to the children. This suggestion has precedent. Please see the attached sentencing order in USA v. Giudice (aka “The Jersey Shore” case) where the parents of minor children were given staggered sentences (attachment 3).

Respectfully submitted,

HUNTERTON & ASSOCIATES

_____/s/
C. Stanley Hunterton
627 So. 7th St.
Las Vegas, NV 89101
Counsel for Defendant William Livolsi

ATTACHMENT “1”

7 April 2015

The Honorable Andrew P. Gordon
United States District Judge
333 Las Vegas Blvd. So.
Las Vegas, NV 89101

Re: United States vs. William Livolsi, Jr.

Dear Judge Gordon:

Please accept this letter as a character reference on behalf of William Livolsi, Jr.

We, Ron and Linda Wells, do a lay ministry in Cleveland, OK, which consist of a food pantry, helping people in need of furniture, clothing, utility bills, house repairs, and other projects to meet the need of the community. We are involved with our church in a mission on the Navajo Reservation. We provide spiritual guidance for the residents at the Baptist Village Independent Retirement Center in Cleveland, OK.

With your permission, we would like to make you aware of the person that we have come to know and respect in the past five years.

Over the past five years Bill has become a trusted and respected friend. We met Bill when he came to volunteer at the food pantry. He has volunteered since the pantry's inception in January 2010. He is kind and compassionate toward the pantry clients and he is very well liked.

Bill plays the guitar in the church praise and worship band. He has participated in the Navajo mission by taking supplies to the Reservation. He has participated in church clean-up and painting. He has been involved in numerous roofing jobs and home repairs in our church outreach ministries.

Bill has coached little league football and been instrumental in fund raising for the league. He is involved with all activities at school with his two children.

Bill is the primary caregiver for his children. He cares for his wife who has a debilitating illness. We feel that the family will suffer greatly in Bill's absence.

This is Bill's first offense and he has expressed great remorse for the crime he has committed. We have a great admiration for Bill and we feel that the community has reaped significantly from his presence in the community. We pray that the Court will have leniency and compassion for Bill.

Thank you for this opportunity to address you.

Respectfully submitted,

Ron and Linda Wells

ATTACHMENT “2”

Progressive Prison Project
Innocent Spouse & Children Project
(203) 769-1096
www.prisonist.org

Rev. Jeff Grant, JD, M Div, Minister/Director
P.O. Box 1232
Weston, Connecticut 06883

at Christ Church Greenwich, Greenwich, CT
at Norfield Congregational Church, Weston, CT
First Baptist Church of Bridgeport, Bridgeport, CT

April 7, 2015

The Honorable Andrew P. Gordon
United States District Judge
United States District Court, District of Nevada
333 Las Vegas Blvd. South
Las Vegas, Nevada 89101

Re: United States vs. William Livolsi

Dear Judge Gordon:

Please accept this letter as a character reference on behalf of William Livolsi, a defendant in the above referenced matter.

By way of background, please note that I serve Minister/Director of the Progressive Prison Project/Innocent Spouse & Children Project, in Connecticut; Corporate Secretary/ Liaison to the Faith Community of Family Reentry, a Connecticut-based nonprofit serving the formerly incarcerated person community; a Member of the Board of Directors of Hartford-based Community Partners in Action— formerly the Connecticut Prison Association, the oldest and largest nonprofit profit in the State of Connecticut serving families affected by the criminal justice system; and a Member of the Board of Directors of Healing Communities Network, a NYC faith-based nonprofit for rehabilitation inside prisons and in community-based reentry programs.

I understand that Bill has pled guilty in the subject prosecution matter and is the subject of a sentencing, the outcome of which is entirely within your discretion. With your kind permission, I would respectfully like to share some of my insights about Bill in order to assist the Court in its decision.

I have known Bill for about six months – he called me looking for spiritual guidance and preparedness for his incarceration. We commenced regular phone counseling, he in Oklahoma and I in Connecticut. I was immediately impressed by Bill's forthrightness about his crime, hurting others and the people he loves, his remorse, and his willingness to work hard to start a new life. I could see that he was very enthusiastic and yet humble about his doing the very best to make certain his children Nic and Sara are well cared for, especially in the event he has to

serve time. From our many telephone conversations, I can see that as the children's primary care giver he is a good parent, that they have a strong bond, and he is completely committed to his children's well being. He completely understands that he is engaged in a process that would have him start at the bottom, and that he would be turning the outcome over one day at a time. Bill is a very willing and grateful individual who seems to be living in acceptance of his difficult situation.

I did not know Bill when he was committing his crime(s), but I think he has learned a lot from this entire process. It is my feeling that he is fully adopting a spiritual way of life. As such, I believe that Bill deserves the leniency and compassion of the Court.

I am available to assist the Court further in any way you may require.

Thank you for this opportunity to be of service.

Respectfully submitted,

Rev. Jeff Grant, JD, M Div
jgrant@prisonist.org
(m) 203-339-5887

ATTACHMENT “3”

UNITED STATES DISTRICT COURT
District of New Jersey

UNITED STATES OF AMERICA

v.

Case Number 2:13cr495-01 (ES)

GIUSEPPE GIUDICE

Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, GIUSEPPE GIUDICE, was represented by Miles Feinstein.

On motion of the United States the court has dismissed count(s) 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 21, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 39, 40 & 41 of the Superseding Indictment

The defendant pled guilty to count(s) 1, 15, 22, 36 & 37 of the SUPERSEDING INDICTMENT on 3/4/2014. Accordingly, the court has adjudicated that the defendant is guilty of the following offense(s):

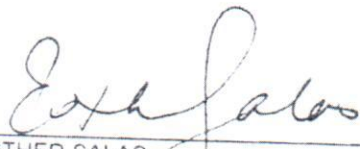
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number(s)</u>
18:1349	Conspiracy to commit Mail and Wire Fraud	9/2001 through 9/2008	1
18:152(1) & 2	Bankruptcy Fraud - Concealment	10/29/09	15
18:152(2) & 2	Bankruptcy Fraud - False Oaths	4/23/2010	22
18:152(3) & 2	Bankruptcy Fraud - False Declarations	3/2/2010	36
26:7203 and 18:2	Failure to file Tax Returns	4/15/2005	37

As pronounced on 10/2/14, the defendant is sentenced as provided in pages 2 through 8 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$425.00, for count(s) 1, 15, 22, 36 & 37, which shall be due immediately. Said special assessment shall be made payable to the Clerk, U.S. District Court.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Signed this the 10th day of October, 2014.


ESTHER SALAS
United States District Judge

AQ 245B (Mod. D/NJ 12/06) Sheet 2 - Imprisonment

Defendant: GIUSEPPE GIUDICE
Case Number: 2:13cr495-01 (ES)

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 41 Months. Imprisonment for a term of 41 months on each of counts 1, 15, 22, & 36 and 12 months on count 37 to run concurrently.

The Court makes the following recommendations to the Bureau of Prisons: An institution close to the defendant's home address and alcohol treatment.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons when the co-defendant's term of imprisonment has concluded. 2:13cr495-02 (ES) U.S.A. v. Teresa Giudice.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ To _____
At _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal